

**CITY COUNCIL  
RESOLUTION NO. 2010-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DIAMOND BAR, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2007-03 AND ZONE CHANGE NO. 2007-04 FOR PROPERTY COMPRISED OF APPROXIMATELY 30.36 ACRES LOCATED AT THE SOUTHEAST CORNER OF BREA CANYON ROAD AND DIAMOND BAR BOULEVARD, DIAMOND BAR, CALIFORNIA (ASSESSORS PARCEL NUMBERS 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903 and 8714-015-001).**

**A. RECITALS**

1. On July 1, 2007, the property owner/co-applicant, Walnut Valley School District, and property owner/co-applicant/lead agency, City of Diamond Bar, executed a Memorandum of Understanding whereby the parties agreed to collaborate in the planning of the future land use for the approximately 30.36-acre parcel property located at the southeast corner of Brea Canyon Road and Diamond Bar Boulevard, City of Diamond Bar, County of Los Angeles, California so that both parties may each advance their respective objectives for the disposition of the property;
2. The following approvals are requested of the City Council:
  - (a) General Plan Amendment No. 2007-03 to change the land use designations from Public Facility (PF) and General Commercial (C) to Specific Plan (SP);
  - (b) Zone Change No. 2007-04 to change the zoning districts from Low Density Residential (RL), Low/Medium Density Residential (RLM), and Neighborhood Commercial (C-1) to Specific Plan;
  - (c) Specific Plan No. 2007-01 to adopt the Site D Specific Plan for the approximately 30.36 acre site to facilitate the development of a maximum of 202 residential; 153,985 gross sq. ft. of commercial; and approximately 10.16 acres of open space areas, easements, and rights-of-way;
  - (d) Tentative Tract Map No. 70687 to establish separate residential, commercial, and open space parcels; create an internal circulation system and common open space areas; and establish easements and other rights-of-way for utility and other purposes; and

- (e) Environmental Impact Report 2007-02 to certify the Final EIR, which provides a detailed analysis of potential environmental impacts associated with the development of the Specific Plan area.
- 3. In accordance to the provisions of the California Environmental Quality Act (CEQA), Section 15168 et seq., an Environmental Impact Report (EIR) has been prepared for the project which found that the proposed project may have remaining significant impacts that requires adoption of “Findings of Facts and Statement of Overriding Considerations.” Per CEQA Guidelines Section 15090, the EIR is being reviewed concurrently with the approval of the General Plan Amendment No. 2007-03 and Zone Change No. 2007-04 and must be certified by the City Council before project approval;
- 4. In accordance with CEQA Guidelines Sections 15090 through 15093, a resolution certifying the EIR, adopting of a mitigation reporting and monitoring program, and adopting “Findings of Facts and Statement of Overriding Considerations” for the project is being reviewed by the City Council concurrently with this resolution;
- 5. The approval of Specific Plan No. 2007-01 (Site D Specific Plan) that is being reviewed concurrently with this project, includes a land use plan that divides the property into three sub-planning areas (Residential, Commercial, and Open Space/Circulation) and includes standards and guidelines for future development of the specific plan site;
- 6. Notification of the public hearing for this project was published in the San Gabriel Valley Tribune and the Inland Valley Daily Bulletin newspapers on June 4, 2010. Public hearing notices were mailed to property owners within a 1,000-foot radius of the project site and public notices were posted at the City’s designated community posting sites. In addition to the published and mailed notices, the project site was posted with a display board and the notice was posted at three other locations within the project vicinity;
- 7. On April 13, 2010, the Planning Commission of the City of Diamond Bar conducted a duly noticed public hearing, solicited testimony from all interested individuals, closed the public hearing, and continued the matter to May 11, 2010;
- 8. On April 27 and May 11, 2010, the Planning Commission of the City of Diamond Bar continued and concluded the deliberations. At that time, the Planning Commission recommended that the City Council approve General Plan Amendment No. 2007-03 and Zone Change No. 2007-04 for property comprised of approximately 30.36 acre located at the southeast corner of Brea Canyon Road and Diamond Bar Boulevard, Diamond Bar, California.

9. On June 15, 2010, the City Council of the City of Diamond Bar conducted a duly noticed public hearing on the project.
10. The City Council has determined that the proposed General Plan Amendment and Zone Change represents a consistent, logical, appropriate and rational land use designation and implementing tool that furthers the goals and objectives of the City General Plan; and
11. The documents and materials constituting the administrative record of the proceedings upon which the City's decision is based are located at the City of Diamond Bar, Community Development Department, Planning Division, 21825 Copley Drive, Diamond Bar, CA 91765.

**B. RESOLUTION**

NOW, THEREFORE, it is found, determined and resolved by the City Council of the City of Diamond Bar as follows:

1. The City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct;
2. Based on the findings and conclusions set forth herein, the City Council hereby finds as follows:
  - a. Approval of a General Plan Amendment No. 2007-03 for the Site D Specific Plan based on the following finding, as required by Section 22.70.050 of the Municipal Code and in conformance with California Government Code Section 65358:

The amendment to the General Plan is internally consistent with the adopted goals and policies of the City and is in the public interest. General Plan Amendment No. 2007-03 will permit residential and commercial, rather than public facility, in an area adjacent to an existing residential and commercial development. The General Plan Amendment promotes the following:

- Land Use Element Vision Statement states: It is the overall goal of the land use element to ensure that the land uses and development decisions of Diamond Bar maintain and enhance the quality of life for its residents. Goal 1 states: Consistent with the Vision Statement, maintain a mix of land uses which enhance the quality of life of Diamond Bar residents, providing a balance of development and preservation of significant open space areas to assure both economic viability and retention of distinctive natural features of the community.

The Site D Specific Plan is a mixed use development that provides quality higher-density residential housing within

proximity to a neighborhood-retail center, and open space. The Site D Specific Plan also incorporates physical design elements that reflect the unique topographical characteristics of Diamond Bar through the creation of a landform grading design that emulates natural topographic contours and undulations, and incorporates native woodland species indigenous to the site.

- Land Use Element – Goal 2 states: Manage land use with respect to the location, density and intensity, and quality of development. Maintain consistency with the capabilities of the City and special districts to provide essential services which achieve sustainable use of environment and manmade resources.

The Site D Specific Plan project is located at the corner of a major and a secondary arterial in the Diamond Bar area identified by the City's General Plan as a prime location for mixed-use development. This Specific Plan document will guide the build-out of Site D in a manner which is consistent with City and State policies and standards and assures that the project is developed in a coordinated manner.

- Land Use Element - Goal 3 states: Maintain recognition within Diamond Bar and the surrounding regions as being a community with a well planned and aesthetically pleasing physical environment.

The Site D Specific Plan is consistent with the needs of the Diamond Bar community by offering housing and employment opportunities in an integrated, aesthetically pleasing, mixed-use development. Additionally, the commercial-retail facilities will provide service to both residents of the City of Diamond Bar and surrounding regions.

- Land Use Element – Goal 4 states: Encourage long-term and regional perspectives in local land use decisions, but not at the expense of the quality of life for Diamond Bar residents.

The Site D Specific Plan sets the precedent for a new and vibrant mixed-use development in the City of Diamond Bar. Interweaving higher-density residential housing with a centrally located commercial-retail center, and open space, will allow Site D to be a quality mixed-use development that will positively contribute to the City of Diamond Bar.

- Housing Element Vision Statement states: It is the overall goal of the housing plan that there is adequate housing in the City,

both in quality and quantity, to provide appropriate shelter for all without discrimination. Goal 1 states: Consistent with the Vision Statement, preserve and conserve the existing housing stock and maintain property values and residents' quality of life.

The residential component of the Site D Specific Plan proposes up to 202 high-quality residential units to help fulfill Diamond Bar's portion of the region's housing needs. The criteria for residential development incorporate an internal circulation system that is not reliant on those of the surrounding residential neighborhoods, and ensure that new residential community will coexist harmoniously with the adjoining, established neighborhoods.

- Housing Element – Goal 2 states: Provide opportunities for development of suitable housing to meet the diverse needs of existing and future residents.

The higher-density residential housing of Site D project area meets the fiscal and culturally diverse needs of both future and existing City of Diamond Bar residents by offering an alternative to the predominantly detached single-family residential market largely found in the City of Diamond Bar.

- Housing Element – Goal 5 states: Encourage equal and fair housing opportunities for all economic segment of the community.

The Site D Specific Plan will provide higher-density residential uses in the form of attached housing, which can accommodate various economic segments of the Diamond Bar community and its residents by supporting the variation in character of the Diamond Bar housing stock.

- Resource Management Element Vision Statement states: It is the overall goal of the resource management element to provide and maintain adequate open spaces in the City to serve the diverse recreational needs of its residents, while fostering the wise use of limited natural resources. Goal 1 states: Create and maintain an open space system which will preserve scenic beauty, protect important biological resources, provide open space for outdoor recreation and the enjoyment of nature, conserve natural resources, and protect public health and safety.

The Site D Specific Plan preserves approximately 8.0 acres of 30.36 acres as open space, which includes vegetated slopes,

residential amenities, and pedestrian pathways.

- Public Health and Safety Element Vision Statement states: It is the overall goal of the plan to provide a safe and healthy

environment for the residents of Diamond Bar. Goal 1 states: Create a secure public environment which minimizes potential loss of life and property damage, as well as social, economic, or environmental disruption resulting from natural and manmade disasters.

The Site D Specific Plan will provide a safe and secure environment for City residents by promoting the policies and ideals particular to the City of Diamond Bar. Specific standards are included in the Site D Specific Plan regulating development within the project area, which will minimize potential loss of life and property damage. Additionally, each stage of development permitted by this Specific Plan will adequately provide vehicular access, public facilities, and infrastructure for public health and safety.

- Circulation Element Vision Statement states: It is the overall goal of the plan to provide a safe, adequate and environmentally sensitive transportation system to meet the circulation needs of the citizens of Diamond Bar. Goal 1 states: Enhance the environment of the City's street network. Work toward improving the problems presented by intrusion of regionally oriented commuter traffic through the City and into residential neighborhoods. Consider programs to reinforce the regional transportation and circulation system to adequately accommodate regional needs.

The Site D Specific Plan's improvement of interior roadways and circulation will ensure safe, direct, and convenient vehicular and pedestrian access to and through the project's various land uses. Because the site is bordered by existing and improved roadways (Diamond Bar Boulevard and Brea Canyon Road), no major exterior roadway modifications will be developed by this Specific Plan. To the extent possible, existing lane configurations and right-of-way improvements on exterior project roadways will be retained. However, minor landscape and parkway improvements shall be provided along these roadways as well as additional strategically placed entrances, which will make Site D project area an easily accessible location for residents of the City of Diamond Bar.

- Circulation Element – Goal 2 states: Provide a balanced transportation system for the safe and efficient movement of people, goods, and services through the City.

The Site D Specific Plan will contain a strong internal circulation network that will serve to provide direct and efficient access to the site. While the automobile will be the predominant form of travel, the Site D Specific Plan recognizes the importance of alternative modes of transportation. A convenient and easily accessible transit system becomes an essential element of a mixed-use development such as Site D. Bus stops are located adjacent to Site D and facilitate alternative modes of transportation. Transit is expected to be provided by the Metropolitan Transit Authority (MTA), Foothill Transit, and the City's fixed-route transportation system.

- Circulation Element – Goal 3 states: Maintain an adequate level of service on area roadways.

The Environmental Impact Report associated with the development of the Site D Specific Plan includes an analysis of project area roadways and existing and build-out levels of service. Appropriate mitigation measures shall be provided if area roadways are found to be operating under the required level of service as a result of the Site D development.

- Circulation Element – Goal 4 states: Provide or regulate the provision of the supply of parking to meeting the needs for both residents and commercial businesses.

The Site D Specific Plan mixed-use development will be consistent with Chapter 22.30, Off-Street Parking of the Diamond Bar Municipal Code.

- Public Services and Facilities Element Vision Statement states: It is the overall goal of the plan that the City acquire and maintain adequate resources to meet the needs of its resident. Goal 1 states: Provide adequate infrastructure facilities and public services to support development and planned growth.

Public services and utilities, including water, sewer, gas, electricity, telephone, and cable will be extended into the Specific Plan area to support the Site D development.

- Public Services and Facilities Element – Goal 2 states: Achieve a fiscally solvent, financially stable community.

The Site D Specific Plan area will contain a high-quality, mixed-use development, composed of commercial-retail, higher-density residential, and open space land uses. The provision of residential uses on-site creates an immediate market for retail and service uses, thereby enhancing the potential for establishing a successful mixed-use master planned development. Additionally, Site D Specific Plan will provide housing and job opportunities to the City of Diamond Bar residents, which will generate property and sales taxes that can be used for improvement of public services and facilities. Due to the project's convenient location and site planning, Site D presents an economically viable plan that is good for the City of Diamond Bar and its residents.

The proposed General Plan Amendment is consistent with all of these goals. Therefore, the General Plan Amendment is consistent with City policies and is in the public interest;

- b. Approval of Zone Change No. 2007-04 for the Site D Specific Plan based on the following finding, as required by Section 22.70.050 of the Municipal Code and in conformance with California Government Code Sections 65853 and 65860:

The amendment to the Zoning Map is internally consistent with the General Plan and the adopted goals and policies of the City. The Zoning Map does not presently reflect the General Plan designation for the property. Zone Change No. 2007-04 will place the City's Zoning Map in conformance with the General Plan by designating the Property as SP (Specific Plan), with sub-areas corresponding to those in the Site D Specific Plan. The existing approximate 30.36 acres located at the southeast corner of Brea Canyon Road and Diamond Bar Boulevard (Assessors Parcel Numbers 8714-002-900, 8714-002-901, 8714-002-902, 8714-002-903, and 8714-015-001) shall have a zoning designation of SP – Specific Plan.

The City Council shall:

- (a) Certify to the adoption of this Resolution; and
- (b) Forthwith transmit a certified copy of this Resolution, by certified mail, to: Walnut Valley Unified School District, 880 South Lemon Avenue, Walnut, CA 91789.



APPROVED AND ADOPTED THIS XX<sup>th</sup> DAY OF XXXX 2010, BY THE CITY COUNCIL OF THE CITY OF DIAMOND BAR.

By: \_\_\_\_\_  
Carol Herrera, Mayor

I, Tommye Cribbins, City Clerk of the City of Diamond Bar, do hereby certify that the foregoing Resolution was duly introduced, passed, and adopted, at a regular meeting of the City Council held on the XX<sup>th</sup> day of XXXX, 2010, by the following vote:

AYES: Council Member:

NOES: Council Member:

ABSENT: Council Member:

ABSTAIN: Council Member:

ATTEST: \_\_\_\_\_  
Tommye Cribbins, City Clerk  
City of Diamond Bar